

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Ronald P. Boyce**  
**Mary B. Boyce**  
Debtor(s)

Bankruptcy Case No.: 13-24858-JAD  
Issued Per Dec. 15, 2016 Proceeding  
Chapter: 13  
Docket No.: 94 – 81, 84  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 24, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,909 as of January 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.  
The claim of AmeriCredit Financial Services at Claim No. 4 shall govern as to amount, to be paid in full at modified plan terms.  
The claim of JPMorgan Chase Bank at Claim No. 12 shall be paid per notices of payment change.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: December 21, 2016

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Ronald P. Boyce  
 Mary B. Boyce  
 Debtors

Case No. 13-24858-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 40

Date Rcvd: Dec 21, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 23, 2016.

db/jdb  
 cr +Ronald P. Boyce, Mary B. Boyce, 5822 Route 982, New Derry, PA 15671-1006  
 +BENEFICIAL CONSUMER DISCOUNT COMPANY, 14841 Dallas Parkway, Suite 300,  
 Dallas, TX 75254-7883  
 cr +HSBC Finance Corporation, P. O. Box 829009, Dallas, TX 75382-9009  
 13768424 +AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853  
 (address filed with court: Americredit Financial Services, Inc., PO Box 183853,  
 Arlington TX 76096)  
 13766555 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,  
 Arlington, TX 76096-3853  
 13764839 +Andrew F. Gornall, Esquire, KML Law Group, P.C., 701 Market Street, Suite 5000,  
 Philadelphia, PA 19106-1541  
 13766961 +Beneficial Consumer Discount Company, PO Box 21188, Eagan, Minnesota 55121-0188  
 13752394 +Beneficial/Hfc, Po Box 9068, Brandon, FL 33509-9068  
 13811243 +Berkheimer Associates, Agent for, Derry Twp & Derry ASD, 50 North Seventh Street,  
 Bangor, PA 18013-1731  
 13764841 +Berkheimer Tax Administrator, PO Box 25153, Lehigh Valley, PA 18002-5153  
 13752395 +Cambria Thrift, Po Box 248, Ebensburg, PA 15931-0248  
 13889937 +Cambria Thrift Consumer Discount Company, 2 E Market Street, Blairsville, PA 15717-1324  
 13752396 +Central Credit Contr, 916 South 14th Street Po Box 988, Harrisburg, PA 17108-0988  
 13752398 +Chase, P.O. Box 15298, Wilmington, DE 19850-5298  
 13752397 +Chase, Po Box 24696, Columbus, OH 43224-0696  
 13752399 #+Collection Service Cen, Po Box 68, Altoona, PA 16603-0068  
 13764847 +Derry Area School District, 976 North Chestnut Street Ext, Derry, PA 15627-7610  
 13752400 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868  
 13752402 +Gm Financial, Po Box 181145, Arlington, TX 76096-1145  
 13764850 +Indiana County Tax Claim Bureau, Indiana County Courthouse, 825 Philadelphia Street,  
 Indiana, PA 15701-3934  
 13752403 +Indiana Regional Medical Center, 835 Hospital Road, P.O. Box 788, Indiana, PA 15701-0788  
 13837874 +JPMorgan Chase Bank, N.A., 3415 Vision Drive, OH4-7133, Columbus, OH 43219-6009  
 13764852 +Latrobe Hospital, P.O. Box 1100, Latrobe, PA 15650-5011  
 13752404 +PA Housing Finance, 211 N. front Street, Harrisburg, PA 17101-1406  
 13752405 +Penn Credit Corporation, 916 S 14th St, Harrisburg, PA 17104-3425  
 13764854 +Penn Credit Corporation, 916 S 14th St, Harrisburg, PA 17104-3425  
 13752406 ++SNAP ON CREDIT LLC, 950 TECHNOLOGY WAY, SUITE 301, LIBERTYVILLE IL 60048-5339  
 (address filed with court: Snap-On Credit Llc, Po Box 506, Gurnee, IL 60031)  
 13752407 +Td Auto Finance, Po Box 9223, Farmington Hills, MI 48333-9223  
 13752408 +Verizon, 500 Technology Dr Ste 30, Weldon Spring, MO 63304-2225  
 13764856 +Westmoreland Hospital, 532 West Pittsburgh Street, Greensburg, PA 15601-2282

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/PDF: rmscedi@recoverycorp.com Dec 22 2016 02:02:41  
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,  
 Miami, FL 33131-1605  
 13752393 +E-mail/Text: ally@ebn.phinsolutions.com Dec 22 2016 02:09:40 Ally Financial,  
 200 Renaissance Ctr, Detroit, MI 48243-1300  
 13764642 E-mail/Text: ally@ebn.phinsolutions.com Dec 22 2016 02:09:40  
 Ally Financial serviced by Ally Servicing LLC, PO Box 130424, Roseville, MN 55113-0004  
 13781030 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Dec 22 2016 02:03:14  
 American InfoSource LP as agent for, Verizon, PO Box 248838,  
 Oklahoma City, OK 73124-8838  
 13752401 E-mail/PDF: gecscdi@recoverycorp.com Dec 22 2016 02:03:10 Gecrb/Jcp, Po Box 984100,  
 El Paso, TX 79998  
 13793095 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Dec 22 2016 02:10:33 Jefferson Capital Systems LLC,  
 Po Box 7999, Saint Cloud Mn 56302-9617  
 13823772 E-mail/PDF: resurgentbknofications@resurgent.com Dec 22 2016 02:02:59  
 LVNV Funding, LLC its successors and assigns as, assignee of NCO Portfolio Management,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 13777112 E-mail/Text: blegal@phfa.org Dec 22 2016 02:10:19 PHFA/HEMAP, 211 NORTH FRONT ST,  
 PO BOX 8029, HARRISBURG, PA 17105  
 13811378 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Dec 22 2016 02:24:19  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 13764951 E-mail/PDF: rmscedi@recoverycorp.com Dec 22 2016 02:02:41  
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,  
 Miami, FL 33131-1605

TOTAL: 10

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr JPMORGAN CHASE BANK, N.A.

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 40

Date Rcvd: Dec 21, 2016

cr\* +Americredit Financial Services, Inc. dba GM Financ, PO Box 183853, Arlington, TX 76096-3853  
13764838\* +Ally Financial, 200 Renaissance Ctr, Detroit, MI 48243-1300  
13764840\* +Beneficial/Hfc, Po Box 9068, Brandon, FL 33509-9068  
13764842\* +Cambria Thrift, Po Box 248, Ebensburg, PA 15931-0248  
13764843\* +Central Credit Contr, 916 South 14th Street Po Box 988, Harrisburg, PA 17108-0988  
13764844\* +Chase, Po Box 24696, Columbus, OH 43224-0696  
13764845\* +Chase, P.O. Box 15298, Wilmington, DE 19850-5298  
13764846\* +Collection Service Cen, Po Box 68, Altoona, PA 16603-0068  
13764848\* +Gecrb/Jcp, Po Box 984100, El Paso, TX 79998  
13764849\* +Gm Financial, Po Box 181145, Arlington, TX 76096-1145  
13764851\* +Indiana Regional Medical Center, 835 Hospital Road, P.O. Box 788, Indiana, PA 15701-0788  
13764853\* +PA Housing Finance, 211 N. front Street, Harrisburg, PA 17101-1406  
13826761\* ++PENNSYLVANIA HOUSING FINANCE AGENCY, 211 NORTH FRONT STREET, HARRISBURG PA 17101-1406  
(address filed with court: PHFA/HEMAP, 211 NORTH FRONT ST, PO BOX 8029,  
HARRISBURG, PA 17105)  
13764855\* +Verizon, 500 Technology Dr Ste 30, Weldon Spring, MO 63304-2225  
13766299 ##+Rjm Acquisitions Funding Llc, 575 Underhill Blvd, Suite 224, Syosset, NY 11791-3416  
TOTALS: 1, \* 14, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court  
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner  
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social  
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required  
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 23, 2016

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system on December 21, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor JPMORGAN CHASE BANK, N.A. agornall@goldbecklaw.com,  
bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com  
James Warmbrodt on behalf of Creditor JPMORGAN CHASE BANK, N.A. bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Paul W. McElrath, Jr. on behalf of Debtor Ronald P. Boyce ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Paul W. McElrath, Jr. on behalf of Joint Debtor Mary B. Boyce ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6